

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

MARSHALL WEBSTER BARNES, §  
Petitioner, §  
VS. § CIVIL ACTION NO. 4:07-CV-511-Y  
§  
NATHANIEL QUARTERMAN, §  
Director, T.D.C.J. §  
Correctional Institutions Div., §  
Respondent. §

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

In this action brought by petitioner Marshall Webster Barnes under 28 U.S.C. § 2254, the Court has made an independent review of the following matters in the above-styled and numbered cause:

1. The pleadings and record;
2. The proposed findings, conclusions, and recommendation of the United States magistrate judge filed on August 30, 2007; and
3. The petitioner's written objections to the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on September 17, 2007.

The Court, after de novo review, concludes that Petitioner's objections must be overruled, and that the petition for writ of habeas corpus should be dismissed for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions, and recommendation of the magistrate judge are ADOPTED.

Petitioner Marshall Webster Barnes's petition for writ of habeas corpus is DISMISSED WITHOUT PREJUDICE to his right to file

a motion in the United States Court of Appeals for the Fifth Circuit for leave to file a successive petition.

SIGNED September 18, 2007.

  
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TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE